

JAN 29 2007

REMARKS/ARGUMENTS

The claims are 1, 4-8, 12-20, 22-24 and 26-33.

Claim 11, which the Examiner indicated contained allowable subject matter, has been rewritten in independent claim form by amending claim 1 to substantially incorporate the subject matter of claim 11 (including claims 2, 3, 9 and 10, on which claim 10 depended directly or indirectly) except that the word "virtual" to describe the pivot axis previously appearing in claim 3 has been deleted and the reference to the "wire stirrup" previously appearing in claim 11 has been deleted. Accordingly, claims 2, 3 and 9-11 have been canceled, and claims 4 and 5 have been amended in view of the amendment to claim 1. In addition, claims 4 and 5 which previously depended on claim 3 and claim 12 which previously depended on claim 2 have been amended to depend on claim 1. Claim 4 has also been amended to recite that the pivot axis lies inside the filling channel.

Claims 21 and 25, which the Examiner also indicated contain allowable subject matter, have also been rewritten in independent claim form substantially as new claims 32 and 33, respectively

(including claims 1, 2, 12, 13 and 14 for new claim 32 and claims 1 and 23 for new claim 25). Accordingly, claims 21 and 25 have been canceled, and claims 26 and 27 which previously depended on claim 25 have been amended to depend on new claim 33. In addition, claims 6, 15-18, 20, 22-23 and 28-30 have been amended to depend on new claim 32.

Reconsideration is expressly requested.

Claims 1, 2, 12, 13, 17, 20, 22-24 and 29 were rejected under 35 U.S.C. 102(b) as being anticipated by *Emmerich et al.* U.S. Patent No. 6,234,555. Claims 1, 2, 12-20, 22-24 and 28 were rejected under 35 U.S.C. 102(b) as being anticipated by *Cherng EP 0,582,025*. Claims 3-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Emmerich et al.* in view of *Zemke U.S. Patent No. 4,091,958*. Claim 30 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Cherng* in view of *Temmesfeld U.S. Patent No. 6,705,481*. The Examiner also indicated, however, that claims 11, 21 and 25-27 contain allowable subject matter and would be allowed if rewritten in independent claim form including all of the limitations of the base claim and any intervening claims.

In response, without conceding the propriety of the Examiner's position, and in order to expedite prosecution of this case, Applicant has substantially rewritten claims 11, 21 and 25 in independent form by amending claim 1 to substantially incorporate the subject matter of claim 11 and by rewriting claims 21 and 25 in independent form substantially as new claims 32 and 33 respectively. Applicant has also amended claims 26 and 27 to depend on new claim 33, has amended claims 4, 5 and 12 to depend on claim 1 as amended, has amended claims 6, 15-18, 20, 22-23, and 28-30 to depend on new claim 32, and has canceled claims 2, 3, 9, 10, 11, 21 and 25 so that all dependent claims now depend directly or indirectly on either claim 1 as amended or new independent claims 32 and 33.

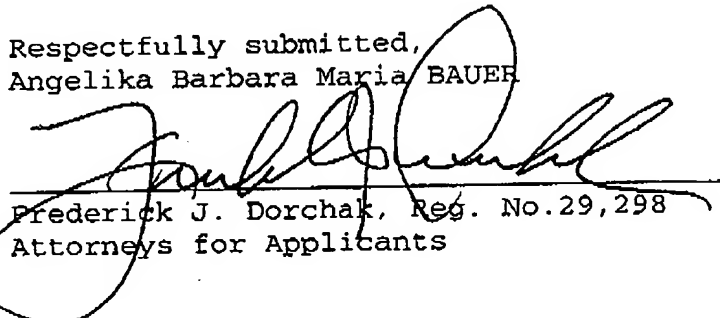
Claim 1 as amended recites that the articulation part is mounted in a hinge arranged on the housing part on the second side, and in at least one bore arranged on the closure part on the first side, with the hinge and the at least one bore having parallel axes. As this feature is neither shown nor suggested by any of the prior art cited by the Examiner, it is respectfully submitted that claim 1 as amended, together with claims 4, 5, and 12-14 which depend thereon, are in condition for allowance, along

with new claims 32 and 33, and the claims that depend directly or indirectly thereon which substantially incorporate the subject matter of claims 21 and 25 respectively.

In summary, claims 1, 4-6, 12, 15-18, 20, 22-23 and 26-30 have been amended, claims 2-3, 9-11, 21 and 25 have been canceled, and new claims 32-33 have been added. In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

Respectfully submitted,  
Angelika Barbara Maria BAUER

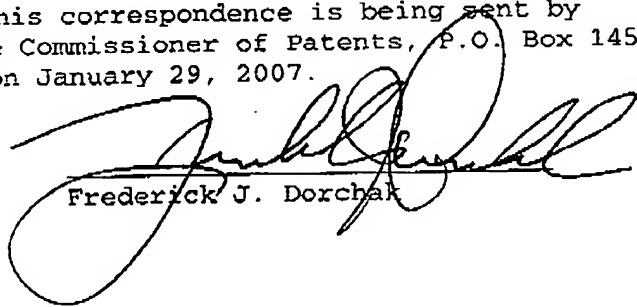
COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802  
FJD:djp

  
Frederick J. Dorchak, Reg. No. 29,298  
Attorneys for Applicants

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Frederick J. Dorchak

- 14 -

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